

LUKAS, NACE, GUTIERREZ & SACHS, LLP

8300 GREENSBORO DRIVE, SUITE 1200
MCLEAN, VIRGINIA 22102
703 584 8678 • 703 584 8696 FAX

WWW.FCCLAW.COM

RUSSELL D. LUKAS
DAVID L. NACE
THOMAS GUTIERREZ*
ELIZABETH R. SACHS*
DAVID A. LAFURIA
PAMELA L. GIST
TODD SLAMOWITZ*
TODD B. LANTOR*
STEVEN M. CHERNOFF*
KATHERINE PATSAS NEVITT*

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEILA REZANAVAZ
—
OF COUNSEL
GEORGE L. LYON, JR.
LEONARD S. KOLSKY*
JOHN CIMKO*
J. K. HAGE III*
JOHN J. McAVOY*
HON. GERALD S. MCGOWAN*
TAMARA DAVIS BROWN*
JEFFREY A. MITCHELL
ROBERT S. KOPPEL*

*NOT ADMITTED IN VA

Writer's Direct Dial
(703) 584-8665
pgist@fcclaw.com

February 7, 2011

Marlene H. Dortch, Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Suite TW-A325
Washington, D.C. 20554

Re: EB Docket No. 06-36
Annual 47 C.F.R. § 64.2009(e) CPNI Certification for 2010

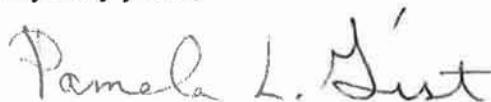
East Kentucky Network, LLC d/b/a Appalachian Wireless

Dear Ms. Dortch:

On behalf of East Kentucky Network, LLC d/b/a Appalachian Wireless, and pursuant to Section 64.2009(e) of FCC rules, submitted herewith is the carrier's CPNI certification for calendar year 2010 with accompanying statement.

Should any questions arise regarding this submission, please contact the undersigned.

Very truly yours,



Pamela L. Gist

Enclosure

cc: Best Copy and Printing, Inc.

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket No. 06-36

Annual 64.2009(e) CPNI Certification covering 2010

Date filed: February 7, 2011

Name of company covered by this certification: East Kentucky Network, LLC
d/b/a Appalachian Wireless
101 Technology Trail
Ivel, Kentucky 41642

Form 499 Filer ID: 802104

Name of signing officer: Gerald F. Robinette

Title of signatory: Chief Executive Officer

CERTIFICATION

I, Gerald F. Robinette, hereby certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Customer Proprietary Network Information rules set forth in 47 C.F.R. §§ 64.2001 *et seq.* of the rules of the Federal Communications Commission.

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (i.e. proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission) against data brokers in the past year.

The company has received two customer complaints in the past year concerning the unauthorized release of CPNI by employees to individuals not authorized to receive the information.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

A handwritten signature in cursive script, reading "Gerald F. Robinette", written over a horizontal line.

Name: Gerald F. Robinette

Title: Chief Executive Officer

Date: February 7, 2011

Attachments: Accompanying Statement Explaining CPNI Procedures
Summary of Customer Complaints

Company Name ("Carrier"): East Kentucky Network, LLC d/b/a Appalachian Wireless

STATEMENT

Carrier has established operating procedures that ensure compliance with the Federal Communication Commission ("Commission") regulations regarding the protection of customer proprietary network information ("CPNI").

- Carrier has designated a CPNI compliance officer to oversee CPNI training and implementation.
- Carrier continually educates and trains its employees regarding the appropriate use of CPNI. Carrier has established disciplinary procedures should an employee violate the CPNI procedures established by Carrier.
- Carrier has implemented a system whereby the status of a customer's CPNI approval can be determined prior to the use of CPNI.
- Carrier does not use its customers' CPNI in its or its affiliates' sales and marketing campaigns. Carrier does not conduct outbound marketing to its customers. Carrier does not provide an opt-in election to its customers; controls are established to automatically designate all customers as selecting an opt-out election.
- Carrier has implemented procedures to properly authenticate customers prior to disclosing CPNI over the telephone, at Carrier's retail locations, electronically or otherwise. In connection with these procedures, Carrier has established a system of personal identification numbers (PINs), passwords and back-up authentication methods for all customer and accounts, in compliance with the requirements of applicable Commission rules.
- Carrier has established procedures to ensure that customers will be immediately notified of account changes including changes to passwords, back-up means of authentication for lost or forgotten passwords, or address of record.
- Carrier has found that pretexters are continuing their attempts to access CPNI through phone calls and customer impersonation. Carrier issued a press release to local newspapers alerting customers to bogus phone calls trying to access CPNI information under the pretense of being a contest winner. Carrier's use of a password/pin-code to properly authenticate customers, plus additional verification procedures, protects CPNI.
- Carrier has established procedures to notify law enforcement and customer(s) of unauthorized disclosure of CPNI in accordance with FCC timelines.
- Carrier took no actions against data brokers in 2010, including proceedings instituted or petitions filed by Carrier at a state commission, in the court system, or at the Federal Communications Commission.

- The following is a summary of all customer complaints received in 2010 regarding the unauthorized release of CPNI:
 - Number of customer complaints Carrier received in 2010 related to unauthorized access to CPNI, or unauthorized disclosure of CPNI: 2
 - Category of complaint:
 - 0 Number of instances of improper access by employees
 - 2 Number of instances of improper disclosure to individuals not authorized to receive the information
 - 0 Number of instances of improper access to online information by individuals not authorized to view the information
 - 0 Number of other instances of improper access or disclosure

Summary of customer complaints received in 2010 concerning the unauthorized release of CPNI: Employee accidentally used on a customer service agreement the contact information of another customer.

June 2010: A customer service representative unintentionally pulled up the wrong account number to renew and add a phone number for a different customer. The phone of Customer #1, whose account number was wrongly accessed, stopped working. Customer #2 left the store with a document that included proprietary information for Customer #1. Customer #1 contacted a representative about this non-working phone. When Customer #2 returned to the store, the mistake in account numbers was realized. The contract accounts were straightened out and all phones began working properly.

May 2010: An employee accidentally used for one customer the service agreement contract information of another customer. Specifically, a customer service representative had open on his computer two customer service agreements. He accessed the screen of Customer #1 when he should have accessed the screen of Customer #2. He prepared a service agreement and Customer #2 signed and left with a document that included proprietary information for Customer #1. The first bill for Customer #2 was mailed to Customer #1, who saw the call detail of Customer #2. Customer #1 contacted Customer #2, who returned to the store and the accounts were corrected.

These incidents were reported to law enforcement through the CPNI breach reporting website at <http://www.fcc.gov/eb/cpni>. Carrier has not received notice from the FBI or U.S. Secret Service that they would take any action.